DECEMBER 15, 2008 SPECIAL PUBLIC HOUSING COUNCIL MEETING MINUTES PARMA CITY HALL COUNCIL CHAMBER 7:00 PM

The Special Pubic Housing Council Meeting was called to order by President of Council Charles M. Germana presiding.

COUNCIL MEMBERS PRESENT: MARY GALINAS

ROY J. JECH LARRY NAPOLI TOM REGAS

KENNETH RAMSER SCOTT TUMA SEAN BRENNAN

NICHOLAS CELEBREZZE

BRIAN DAY

Mr. Mastroianni - Mr. President, the Roll of Council was called and I find a quorum of Council Members present.

The following officials and department heads were also present. Mayor Dean E. DePiero, Auditor Dennis Kish, Law Director Timothy Dobeck, Treasurer Anthony Zielinski, Safety Director Greg Baeppler, Service Director Brian Higgins, Communications and Community Relations Director Jack Marschall, Director of Public Housing Lev Kulchytsky, Deputy Clerk I Linda Young and Clerk of Council Tom Mastrojanni.

NOTICE OF SPECIAL PUBLIC HOUSING MEETING OF COUNCIL

The State of Ohio)

Cuyahoga County) ss: Police Chief Daniel Hoffman: Greetings

City of Parma)

WHEREAS, it appears that the public business of this City requires that the Council meet in Special Session to consider such business as may come before it, and,

WHEREAS, I have convened and do hereby convene said City Council to meet in Special Session on the 15th day of December AD 2008, at the conclusion of the Special Public Housing Committee Meeting which convenes immediately following the Public Hearing at 6:50 o'clock PM, Eastern Standard time, in the Council Chamber in said City, to consider such matters as may come before it as fully and completely as might be done in regular session of said Council: -

Special Public Housing Committee Meeting to discuss bringing out Housing Ordinance No. 07-12 for Second Reading and to discuss the Monthly Report immediately following the Public Hearing.

Approval of the Public Housing Minutes of October 20, 2008

Second Reading:

HOUSING ORDINANCE NO. 07-12 11/19/07

L-07-

12

By: M. Galinas (Special Meeting)

(By Request - Public Housing Executive Director)

AN ORDINANCE APPROVING A SMOKING BAN AT PARMA PUBLIC HOUSING'S PUBLIC HOUSING RESIDENTIAL FACILITY - CHEVYBROOK ESTATES

To be amended and ref	erred back to the Public Housing Committ	ee. 	
Suspension of the Rules	ž		
14 By: M. Galinas	HOUSING ORDINANCE NO. 08-14	12/15/08	L-08-
(By Request – Public H	ousing Executive Director)		
TO ENTER IN GROUP FOR ¹ AND LEAD IN	NCE AUTHORIZING THE PUBLIC HOUS TO AN AGREEMENT WITH THE HOUS THE PROVISION OF COMMERCIAL PRO ISPECTION INSURANCE FOR FISCAL Y SING AGENCY, AND DECLARING AN I	SING AUTHORITY INSU OPERTY LOSS, CASUAL EAR 2009 FOR THE PA	JRANCE _TY,
15 By: M. Galinas (By Request – Public H	HOUSING ORDINANCE NO. 08-15 ousing Executive Director)	12/15/08	L-08-
(By Request Tublic 11	odding Exceditive Director)		
ENTER INTO SERVICES FO	NCE AUTHORIZING THE DIRECTOR OF A CONTRACT WITH JAMES G. ZUPKA R THE FISCAL YEARS 2008, 2009, 201 AN EMERGENCY	, CPA, INC., FOR AUD	
Director Timothy Dob Housing Comm. Lev k Celebrezze, Brian Day Tuma, Council membe aforesaid for the purpos	and have you then and there this Writ,	vice Director Brian Higgin Germana, Sean Brennan, Ili, Ken Ramser, Tom Re uncil, to meet in Special S	ns, Public Nicholas gas, Scott Session as
/ seal/	In testimony whereof, I have hell corporate seal of said City to be December AD 2008.		
	<u>(signed) Charles M. Gern</u> City of Parma PRESIDENT OF COU		—— MANA

CERTIFICATE OF SERVICE

NOTICE OF SPECIAL PUBLIC HOUSING MEETING OF COUNCIL

I, Daniel A. Hoffman, Chief of Police of the City of Parma, Ohio, do hereby certify that on December 12, 2008, I received the notices of a Special Meeting of Council, a copy of which is attached hereto, and that in accordance with the instructions given to me, I have served each person named in the notice with the notice either personally or by leaving a copy of such notice and the last of the persons named on the notices was served at his usual place of residence with the notice on December 12, 2008, at 6:30 PM, which date and time is more than twelve hours prior to the time of the Special Meeting.

(signed) Daniel A. Hoffman

Chief of Police,
City of Parma, Ohio.

DISPENSE WITH THE REGULAR ORDER OF BUSINESS

Motion made by Councilman Jech, seconded by Councilman Day to dispense with the regular Order of Business and to waive the Rules of Council at this time in order to hold this Special Public Housing Council Meeting. Motion carried.

DISPOSAL OF THE JOURNAL

Mr. Germana – We have the Minutes of the Special Public Housing Meeting of October 20, 2008, before us. Are there any additions or corrections? Hearing none, the Minutes will stand approved as printed.

Second Reading:

HOUSING ORDINANCE NO. 07-12 11/19/07

L-07-

12

Bv: M. Galinas

(Special Meeting)

(By Request – Public Housing Executive Director)

AN ORDINANCE APPROVING A SMOKING BAN AT PARMA PUBLIC HOUSING'S PUBLIC HOUSING RESIDENTIAL FACILITY - CHEVYBROOK ESTATES

Motion made by Councilwoman Mary Galinas, seconded by Councilman Day to amend Ordinance No. 07-12 as follows: That the 8th Whereas clause shall be amended to read as follows:

"Whereas, The Americans with Disabilities Act (ADA) expressly provides that it does not require the accommodation of smoking. Sensitivity to secondhand smoking may be determined to be a disability under the ADA's Fair Housing laws. IN AN ILLINOIS CASE, HUD APPROVED A CONCILIATION AGREEMENT PROVIDING NON-SMOKING HOUSING FOR A SECTION 8 TENANT WITH RESPIRATORY DIFFICULTIES WHO LIVED IN A LARGE HIGH-RISE;"

That a 9th Whereas clause is hereby added and shall read as follows:

"WHEREAS, A SURVEY CONDUCTED IN MINNESOTA FOUND THAT 95% OF SMOKE-FREE PUBLIC ;HOUSING MANAGERS SAID THAT SMOKE-FREE DESIGNATION HAD NATURAL OR POSITIVE EFFECTS ON TURNOVER, VACANCY, AMOUNT OF RENT CHARGED. AND REDUCED TURNOVER COSTS:"

That Section 3 shall be amended to read as follows:

"Section 3. The new smoke-free policy will go into effect when a unit is vacant and a new family leases with the Agency. Current residents who are smokers will be grandfathered in. "Grandfathering" means for a reasonable period, such as until lease renewal. THE FOLLOWING

REVISIONS SHALL BE MADE TO THE PARMA PUBLIC HOUSING LOW RENT SUBSIDY LEASE:

NEW SECTION IX(r) SHALL READ AS FOLLOWS:

SECTION IX(r): TO ASSURE THAT TENANT AND/OR ANY MEMBER OF THE HOUSEHOLD, A GUEST, OR ANOTHER PERSON UNDER TENNANT'S CONTROL SHALL NOT SMOKE IN THE SWELLING UNIT AND/OR ANY OTHER PLACE INSIDE THE BUILDING. (Other sections should be relettered after this point)

NEW SECTION XIV(a)(10) SHALL READ AS FOLLOWS:

SECTION XIV(a)(10) SMOKING ANYWHERE INSIDE THE BUILDING INCLUDING BUT NOT LIMITED TO TENANT'S DWELLING UNIT." Motion carried.

Mr. Germana – Said Public Housing Ordinance No. 07-12 shall be referred back to the Public Housing Committee as amended.

Suspension of the Rules:

HOUSING ORDINANCE NO. 08-14 12/15/08

L-08-

14

By: M. Galinas

(By Request – Public Housing Executive Director)

AN ORDINANCE AUTHORIZING THE PUBLIC HOUSING EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE HOUSING AUTHORITY INSURANCE GROUP FOR THE PROVISION OF COMMERCIAL PROPERTY LOSS, CASUALTY, AND LEAD INSPECTION INSURANCE FOR FISCAL YEAR 2009 FOR THE PARMA PUBLIC HOUSING AGENCY AND DECLARING AN EMERGENCY

Mr. Germana – Shall the Statutory provision and Rule 47 requiring the full and distinct reading of Housing Ordinance No. 08-14 on three different days be dispensed with? Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day. No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to committee be dispensed with and Housing Ordinance No. 08-14 be placed on final passage?

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day.

No: None, motion carried

Motion made by Councilman Jech, seconded by Councilman Day to adopt Housing Ordinance No. 08-14.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day.

No: None; Housing Ordinance No. 08-14 is adopted.

HOUSING ORDINANCE NO. 08-15 12/15/08

L-08-

15

By: M. Galinas

(By Request – Public Housing Executive Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC HOUSING TO ENTER INTO A CONTRACT WITH JAMES G. ZUPKA, CPA, INC., FOR AUDIT SERVICES FOR THE FISCAL YEARS 2008, 2009, 2010, AND 2012, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the Statutory provision and Rule 47 requiring the full and distinct reading of Housing Ordinance No. 08-15 on three different days be dispensed with? Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day. No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to committee be dispensed with and Housing Ordinance No. 08-15 be placed on final passage?

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day.

No: None, motion carried

Motion made by Councilman Jech, seconded by Councilman Day to adopt Housing Ordinance No. 08-15.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day.

No: None; Housing Ordinance No. 08-15 is adopted.

ADJOURNMENT

Motion made by Councilman Jech, seconded by Councilman Day to adjourn said Special Parma Public Housing Council Meeting at 7:08 PM. Motion carried.

CERTIFICATION

I, Tom Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this true and correct copy of the Minutes of the Special Parma Public Housing Council Meeting held on Monday, December 15, 2008.

TOM MASTROIANNI CHARLES M. GERMANA
CLERK OF COUNCIL PRESIDENT OF COUNCIL

Minutes completed on 1/9/09.